

**FREQUENTLY ASKED QUESTIONS REGARDING JUVENILE LAW**  
**TEJ LUG KWS TXEEV NUG TSI TSEG TXUG KEVCAI LIJCHOJ RUA**  
**MIVNYUAS**

Published by:

Marathon County Bar Association Southeast Asian Outreach Committee  
State Bar of Wisconsin

With additional contributions from:

Wausau Early Bird Rotary Club  
Wausau Area Community Foundation  
and  
Wausau Area Hmong Mutual Association

This brochure provides information of a general nature regarding legal matters. None of the information contained in this brochure is intended as legal advice or opinion regarding specific matters or issues. If you are confronted with a situation involving issues discussed in this brochure, you should contact an attorney for legal advice. If you feel that you are unable to pay for an attorney, contact the State of Wisconsin Public Defender (Wausau 715-842-1603) or Judicare (Wausau 715-842-1681).

Phoo ntawv nuav qha txug kev cai lijchoj. Cov lug huv phoo ntawv nuav tsi yog tsim lug paab tuav tswvyim lossis muab tswvyim txug ib yaam dlaabtsi ntsigtxug kevcai lijchoj. Yog koj ntsib tej yaam teebmeem kws has muaj nyob huv phoo ntawv nuav, koj yuav tsum tau moog nrug kws lijchoj saablaaj. Yog koj xaav tas koj yuav them tsi taug nqe kws lijchoj, ces hu xuvtooj rua Wisconsin Public Defender (xeev Wisconsin lub Rooj Paab Pejxeem Txheem Plaub) huv Wausau ntawm (715) 842-1603 lossis Judicare (Rooj Paab Pejxeem Has Plaub) huv Wausau ntawm (715) 842-1681.

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## **Introduction**

### **Lug qheb thawj**

The Marathon County Bar Association created the Southeast Asian Outreach Committee in September 1999 to better serve the needs of our whole community. Many attorneys volunteered to serve on the Committee. Those attorneys began working quickly. Over a period of several months, the Committee conducted an informal survey of immediate needs in the Southeast Asian Community. With the assistance of the Wausau Area Hmong Mutual Association and several respected members of the Southeast Asian Community, it was determined that the Committee needed to provide the Southeast Asian Community, as well as the whole community in general, with additional information regarding juvenile legal matters. The Committee determined that written brochures on the subjects of juvenile law and children in need of protection or services (CHIPS) was the best approach to satisfy the community needs.

Marathon County Bar Association tau tsim tsaa muaj Southeast Asian Outreach Committee (Rooj Zeem Txug Kev Paabcuam Tsoom Tuabneeg Esxias) lub 9 hli 1999 lug paab saibxyuas txug tej kev cheemtsum muaj nyob huv peb lub zej zog. Muaj ntau tug kws lijchoj tshwj dlaag zug dlawb lug koom uake huv lub committee nuav. Puab maaj nrooj lug leg teg dlejnum nuav. Lub committee nuav tau sojntsuag txug kev cheemtsum tau kev paab ntawm cov tsoom tuabneeg Esxias le ob peb lub hlis uake. Koomhum Moob hab lwm tug huv tsoom tuabneeg Esxias kuj tau nrug saablaaj hab pum tau tas yuav tsum muaj ntawv qha txug cov cai lijchoj tswj mivnyuas rua suavdlawg paub. Lub committee nuav txhaj txavtximsab tas kev sau ib phoo ntawv txug cov cai tswj cov mivnyuas kws yuav tsum tau txais kev tivthaiv hab paabcuam yog ib qhov kws zoo rua lub zej zog.

This brochure summarizes the most frequently asked questions regarding the legal issue addressed at the time of the Committee's survey. This brochure is meant to be a starting point for general inquiries. It is not an exhaustive explanation of legal terms, procedures, or individual rights. This brochure is not intended to provide legal advice. If you are confronted with an issue addressed by this brochure, you should consult with an attorney for specific legal advice.

Phoo ntawv nuav muaj tej lug kws txeev nug txug thaus lub Committee tseem taabtom tshawbseeb txug tej teebmeem kev cai lijchoj. Nwg yog kev npaaj lug siv ua chaw qheb kev sisthaam. Nwg yuav tsi has tau ntxawg ntxawg txug tej lug lijchoj, kaabke lossis tug kheej txuj cai. Phoo ntawv nuav tsi yog tsim lug tuavxaam txug kev cai lijchoj. Yog koj ntsib tej yaam kws phoo ntawv nuav has muaj, tsimnyog koj yuav tsum moog ntsib kws lijchoj txug yaam kws koj ntsib ntawd.

The Southeast Asian Outreach Committee received a Local Bar Competition Grant from the State Bar of Wisconsin to assist in the funding of this project. However, many attorneys volunteered extensive hours to complete this brochure. In addition, the Wausau Area Hmong Mutual Association provided many volunteers to assist in the translation of often complicated legal terminology. Special thanks also goes to the Wausau Early Bird Rotary Club for its help in assisting the Committee with extensive printing and translating costs. In addition, special thanks

goes to the Wausau Area Community Foundation for their generous grant which has made it possible to publish a very large number of the brochure for wider use.

Southeast Asian Outreach Committee tau kev paab nyajtxag lug ntawm Local Bar Competition Grant kws tuaj huv Wisconsin lub Rooj Paab Pejxeem Txheem Plaub tuaj txhaws tej nujnqes ua teg dlejnum nuav. Txawm le ntawd los, muaj coob tug kws lijchoj tseem tshwj dlaag zug dlawb lug paab tsim phoo ntawv nuav hab. Ntxiv ntawd, Koomhum Moob Wausau los kuj tau paab txhais tej lug ntsigtxug cai lijchoj kws nyuaj nuav. Uatsaug tshwjxeeb rua lub koomhum Wausau Early Bird Rotary Club kws tau paab txhawm tej nqe luam hab txhais. Dlhau le ntawd, uatsaug tshwjxeeb rua Wausau Area Community Foundation kws tau paab nyaj lug ntawm lub sab dlawbpaug txhaj luam tau phoo ntawv nuav kuas ntau txaus siv.

The members and honorary members of the Southeast Asian Outreach Committee for the year 1999-2002 are:

Tsoom tswvcuab hab cov muaj meejmom huv lub Rooj Zeem Txug Kev Paabcuam Tsoom Tuabneeg Esxias rua xyoo 1999-2002 yog:

Shane W. Falk, Chairperson  
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Scott Corbett  
Steve VanHoof  
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## **FREQUENTLY ASKED QUESTIONS REGARDING JUVENILE LAW TEJ LUG KWS TXEEV NUG TSI TSEG TXUG KEVCAI LIJCHOJ RUA MIVYUAS**

### **1. What is the difference between juvenile court and adult court?**

#### **Plaubntug mivnyuas hab plaubntug laug txawv lecaag?**

There are several major differences between the adult court and juvenile court. You can appear in juvenile court if you are at least ten years old and under 17 years old. You are considered an adult at age 17 or older. Each stage of the process has a different name depending on which court you are in. For example, you can have a fact-finding hearing in juvenile court tried before a judge only. In adult court, you can have a trial, either tried by jury or by a judge. In juvenile court, you may be adjudicated delinquent, but in adult court, you can be found guilty and convicted of a crime. You cannot go to jail or prison, or be on probation in juvenile court, but you can in adult court. At age 18, your juvenile record of delinquencies is not accessible to the public, but in adult court, your criminal record remains open to the public for the rest of your life, unless you get a pardon from the Governor. Finally, the public can attend adult court hearings, but juvenile court hearings are confidential and not open to the public.

Nwg muaj ob peb yaam txawv nruabnraab ntawm kev plaubntug rua cov laug hab plaubntug mivnyuas. Koj yuav raug plaubntug mivnyuas yog koj noobnyoog 10 xyoo rov sau hab yau tshaaj 17 xyoo. Koj yuav raug xam tas yog ib tug tuabneeg laug yog tas koj muaj 17 xyoo rov sau. Tej theem huv cov kaabke kws siv nuav nyag muaj txawv nyag nyob ntawm lub tsev tswj cai kws koj raug xwb. Pevxaamle, huv plaubntug mivnyuas koj raug has cai tim ntsej tim muag ntawm tus kws txavtxim xwb. Nyob huv plaubntug laug, koj yuav raug has cai lug ntawm ib paab txwjlaug noog cai (jury) lossis ntawm tug kws txavtxim. Huv kev plaubntug mivnyuas koj yuav raug lam tas ua txhum cai, tabsis huv plaubntug laug koj yuav raug lam txhum hab raug teem txim. Koj yuav tsi raug nyob nkuaj hab tsev lojfaaj huv plaubntug mivnyuas, tabsis koj yuav raug nyob nkuaj hab tsev lojfaaj huv plaubntug laug. Thaus muaj 18 xyoo, koj tej ntaubntawv kev txhum yuav tsi tawm rua twg pum, tabsis huv plaubntug laug, koj tej ntaubntawv kev txhum yuav tawm rua txua tug pum moog taag ib sim, tsuas tshwj tas koj raug thawj pwmtsaav xeev (governor) zaam txim xwb. Kawg nuav, pejxeem fuabfwm yuav nov koj rooj plaub tau, tabsis tug mivnyuas rooj plaub le yuav tsi tso rua leej twg nov hab yuav tsi qheb rua twg pum.

### **2. If I am 17 years old, am I still a juvenile?**

#### **Yog kuv noobnyoog 17 xyoo, kuv puas tseem yog mivnyuas?**

No. Juvenile court no longer has jurisdiction and you can be charged as an adult and can be sentenced to adult probation, jail, and even prison.

Tsiyog. Tsev plaubntug mivnyuas tsi muaj cai tuaj saum koj lawm hab koj muaj feem raug lam lub txim laug, raug txim laug, nyob nkuaj, hab nyob tsev lojfaaj.

**3. Who can attend juvenile hearings? Can the press attend juvenile hearings?**

**Leejtwg txhaj noog tau mivnyuas rooj plaub? Cov tuabneeg sau xuvxwm puas noog tau?**

The parties, parents, social workers, and alleged victim may attend juvenile hearings. The media may also attend juvenile hearings if they ask for permission from the judge, but they may not disclose any information about the juvenile.

Cov kws muaj feem txuamyuaj, namtxiv, social workers, hab tug kws raug puamtshuaj muaj cai noog plaubntug mivnyuas. Cov tuabneeg sau xuvxwm los muaj cai noog tau hab yog tas puab thov lug tsocai ntawm tug kws txavtxim, tabsis puab tsi muaj cai tso tej txheejxwm ntawm tug mivnyuas tawm.

**4. If I am placed in secure or non-secure detention, does that cost me anything?**

**Yog kuv raug nyob nkuaj zuv nruj lossis nkuaj tsi zuv nruj, qhov ntawd puas raug nqe lecaag rua kuv?**

Yes. If you are placed in a non-secure facility like the Marathon County Shelter Home, you parents may be billed up to \$110.00 per day. If you are placed in secure detention, they may be billed up to \$130.00 per day. At the end of your case, the judge will determine if you must pay for the costs of the detention and will ask your parents about their ability to pay for the detention. The County will then work out arrangements to collect the money from your parents.

Raug. Yog koj raug nyob huv tsev saibxyuas kws tsi zuv nruj xwsle huv Marathon County Shelter Home, koj nam koj txiv yuav raug them le \$110.00 tuaj ib nub. Yog koj raug nyob huv cov tsev zuv nruj, ob tug yuav raug them \$130.00 tuaj ib nub. Thaus has taag koj cov plaubntug, tug kws txavtxim yuav xaam seb koj yuav them cov nqe lecaag hab yuav has saib koj nam koj txiv puas yuav them taug lecaag. Ces luas yuav khom sijhawm lug sau tej nujnqes ntawm koj nam koj txiv.

**5. What is the difference between a foster home, a treatment foster home, and a group home?**

**Tsev namtxiv qhuav, tsev namtxiv qhuav tu mivnyuas, hab tsev nyob ua npoj uake sis txawv lecaag?**

A foster home, treatment foster home, and a group home are all places in the community you can be ordered to go if the judge places you on supervision with Social Services. All three placements allow you to remain in the community and attend public school. Being placed at a foster home is very much like living at somebody else's house. At a foster home you would be living with foster parents who take care of you and possibly 3 other kids placed on supervision. You have to follow the household rules of your foster parents, as well as the rules of your social worker.



Lub tsev namtxiv qhuav, tsev namtxiv qhuav tu mivnyuas, hab tsev nyob coob uake yog tej chaw kws koj yuav tau moog nyob yog tas tug kws txavtxim kuas Social Service nrug saibxyuas koj. Huv cov chaw nuav luas pub koj nyob huv lub zej zog hab moog kawmntawv. Yog raug moog nyob huv tsev namtxiv qhuav nwg kuj zoo le koj moog nyob lwm tug tuabneeg lub tsev xwb. Nyob huv tsev namtxiv qhuav koj raug namtxiv qhuav saibxyuas tejzag kuj nrug txug 3 tug mivnyuas nyob uake rua luas saibxyuas. Koj yuav tsum tau ua lawv le cov cai huv namtxiv qhuav lub tsev, hab cov cai kws tug social worker tau teeb tseg.

At a treatment foster home, you would also be living with foster parents and possibly 3 other kids, but these foster parents are expected to deal with kids that have more severe behavioral or emotional problems. It is very much like a foster home atmosphere, however treatment foster parents have greater access to a social worker or a worker from Children's Service Society. Treatment and counseling are often part of this placement.

Huv tsev namtxiv qhuav tu, koj yuav tau nrug namtxiv qhuav nyob hab kuj yuav muaj le 3 tug mivnyuas nrug koj nyob uake, tabsis namtxiv qhuav yuav saibxyuas tug mivnyuas kws muaj teebmeem ntau tshaaj. Nwg kuj zoo le lub tsev namtxiv qhuav hab, tabsis lub tsev namtxiv qhuav tu nuav muaj feem ua haujlwm ntau tshaaj nrug rua tug social worker lossis tug kws tuaj huv Children Service Society tuaj. Kev tu hab cob ntuag yog ib feem ntawm qhov kws raug tso moog nyob huv qhov chaw nuav.

A group home is quite different from a foster or treatment foster home. A group home is a placement with up to 8 kids on supervision. It is staffed with workers who provide 24 hour hands-on supervision. There is a much higher level of structure like eating, chores, education, recreation, treatment and counseling. Many individual group homes have a specific emphasis towards kids with special issues like alcohol or drug abuse.

Lub tsev nyob ua npoj uake txawv mivntsiv tsev namtxiv qhuav lossis tsev namtxiv qhuav tu mivnyuas. Lub tsev nyob coob uake nuav muaj txug le ntawm 8 tug mivnyuas nyob uake rua luas tsomkwm saibxyuas. Luas muaj tuabneeg ua haujlwm saibxyuas 24 txooj teev tuaj ib nub. Muaj kev coj cai xwsle kev nojhaus, tu vaj tu tsev, kev kawm, kev uasi, kev saibxyuas hab cob ntuag nyob rua huv. Muaj ntau lub tsev nyob coob uake nuav tsom txais tuab cov mivnyuas kws muaj teebmeem tshwjxeeb xwsle teebmeem dlejcawv lossis yeebtshuaj xwb.

#### **6. What can happen if I am found to be delinquent?**

##### **Yuav muaj dlaabtsi yog tas luas pum tas kuv txhum lawm?**

The Judge can place you on supervision. Supervision is like adult probation because you are assigned a worker from Social Services who will monitor you for a period of one year. The Social Worker can make you do several things while on supervision such as reporting to the worker on a regular basis, participate in counseling, do community service, be tested for drugs or alcohol, and pay restitution for any damages resulting from the delinquency. While on supervision, you will not be allowed to associate with any friends who are also on supervision.

You will have to go to school complete all school assignments. If you fail to follow the rules of supervision, the judge can sanction you. Some of the sanctions available to the judge are to do community service, placement in secure or non-secure detention, home monitoring on an ankle bracelet, and, suspension of driving privileges. If you do not follow the rules, the judge may also place you in a foster home, a group home, or residential treatment center. You may also be placed in Lincoln Hill Juvenile Correctional facility.

Tug kws txavtxim yuav tso tuabneeg saibxyuas koj. Kev saibxyuas nuav zoo xwsle kevcai soj saib rawv (probation) cov laug vim tas yuav muaj tuabneeg ua haujlwm huv Social Services saib rawv koj txug le ib lub xyoos. Tug Social Worker yuav kuas koj ua qho yam thaus koj nyob huv nwg kev saibxyuas xwsle moog ntsib tug tuabneeg ntawd ua ntu zug, koom nrug kev cob ntuag, ua haujlwm paab zej zog, raug sim saib koj puas siv yeebtshuaj lossis dlejcauv, hab them tej nqe kws muaj lug ntawm koj tej kev ua txhum cai. Thaus luas saibxyuas koj, luas yuav tsi pub koj ntsib tej phoojywg kws raug saibxyuas ib yaam le koj hab. Koj yuav tsum tau moog kawmntawv hab ua txhua yaam ntawv kuas tav. Yog koj ua tsi lawv le cov cai saibxyuas nuav, tug kws txavtxim yuav yuam cai rua koj coj. Qho yaam kws tug kws txavtxim yuav yuam tau yog, moog ua haujlwm paab zej zog, coj koj moog nyob tej chaw zuv nruj lossis zuv tsi nruj, dlai tswb kawtaw, hab rhu koj txuj cai tsaav tsheb tawm. Yog koj tsi ua le cov cai nuav, tug kws txavtxim yuav tso koj moog nyob huv tsev namtxiv qhuav, tsev nyob coob uake, lossis cov vaajtse kws luas tu tuabneeg. Koj kuj yuav raug tso moog nyob huv Lincoln Hill Juvenile Correctional Facility (lub chaw kaw cov mivnyuas ua txhum cai) hab.

**7. If I am found guilty of a felony delinquency, can I possess a firearm?**

**Yog luas pum kuv txhum lub txim luj, kuv puas muaj cai muaj phom?**

If you are found guilty of a charge that would be considered a felony if you were an adult, you will lose your right to possess firearms for the rest of your life. Future possession of a firearm is a felony offense. You may have the right restored to you if you are able to get the delinquency expunged from your record or you received a pardon for the offense.

Yog koj txhum rua qhov kws luas xaam has tas yog txim luj es koj yog ib tug laug koj yuav poob txuj cai muaj phom moog taag koj sim neej. Yog koj tseem muaj phom yaav pegsuab hab ces nwg yuav yog lub txim luj. Koj kuj tseem yuav muaj cai rov muaj phom tau yog tas koj cov kev txhum raug muab rhu tawm huv koj tej ntaubntawv lawm lossis koj lub txim raug zaam lawm.

**8. Do I have a record when I turn 18 if I have been found delinquent? Can I ever get my juvenile record erased (expunged)?**

**Kuv puas yuav muaj lub koob txhum tseg ca yog thaus kuv puv 18 xyoo hab luas pum kuv txhum lawm? Kuv puas yuav tua tau kuv tej ntaub ntawv kev txhum thaus tseem yau?**

Yes. Once you reach the age of 18 years of age, your juvenile record is sealed and the public cannot get access to your record unless they ask for special permission from the Judge. You

may, however, ask that your delinquency record be expunged. A juvenile who has been adjudged delinquent may, on attaining the age of 17 years of age, petition the court to expunge the court's record of the juvenile's adjudication if the court determines that the juvenile has satisfactorily complied with the conditions, of his or her dispositional order and the juvenile will benefit and society will not be harmed by the expungement.

Tau. Thaum koj puv 18 xyoo lawm, koj lub koob txhum thaus tseem yau raug muab kaw tseg hab tsi muaj leejtwg muab tau tsuas tshwj luas tau kev tsocai tshwjxeeb lug ntawm tug kws txavtxim nkaus xwb. Koj muaj cai has kuas luas muab koj tej koob txhum rhu tawm huv si. Tug mivnyuas kws raug txavtxim txhum lawm, txug nub kws puv noobnyoog 17 xyoo, thov tau tsev tswj cai rhu nwg tej koob txhum yog tas tsev tswj cai pum tas tug mivnyuas ntawd yeej ua tau lawv le kws tsev tswj cai tau cuab tseg lawm lossis ua le kws tau teemtxim rua lawd hab tug mivnyuas yuav tau txajntsig lug ntawm qhov nuav hab lub zej zog yuav tsi raug kev limham lug ntawm qhov kws tua koob txhum le nuav.

#### **9. What happens when I go to corrections?**

##### **Muaj dlaabtsi tshwm yog tas kuv raug xaa moog rua huv tsev txhim khu?**

Once you are ordered to corrections by the judge, your legal custody is transferred to the Department of Social Services. If you are male, the Sheriff's Department then transports you to Lincoln Hills in Irma, WI or Ethan Allen in Wales, WI. If you are a female, you are transported to Southern Oaks in Fond du Lac, WI. If you are a female, you are transported to Southern Oaks in Fond du Lac, WI. These places are very much like adult jail. They are surrounded by fences, supervised by 24 hour staff and you cannot leave. You will live and spend time in places that are "jail cells." All food, clothing, education, and treatment will be provided to you. Once you are received by the individual facility, a committee will review your case to make sure you have been properly placed there and to determine your individual educational needs.

Thaus tug kws txavtxim xaa koj moog rua huv tsev txhim khu lawd, luas yuav tso koj moog rua cov tuabneeg huv Department of Social Services saibxyuas. Yog koj yog ib tug txivneej, Rooj tub Ceevwxm Sheriff yuav thauj koj moog rua peg Lincoln Hills kws nyob lub zog Irma, WI lossis Ethan Allen kws nyob lub zog Wales, WI. Yog tas koj yog ib tug quaspuj, koj yuav raug thauj moog rua Southern Oak kws nyob lub zog Fond du Lac, WI. Tej tsev su nuav nwg zoo tuab yaam le tsev lojfaaj. Nwg muaj ntsaa lajkaab thaiv ib ncig, muaj tuabneeg zov 24 txooj teev hab koj tawm tsi tau. Koj yuav nyob luag sijhawm huv "nkuaj hlau." Kev noj haus, khaubdluag naav, kev kawm, hab kev tu yuav muaj pub rua koj tuab si. Thaus luas txais koj rua cov chaw nuav lawm, muaj ib paab tuabneeg yuav sojntsuag koj kuas paub tseeb tas koj raug tso rua qhov chaw kws hum koj lawm hab luas yuav saib txug koj tej kev kawm.



**10. Do I have the right to a jury trial? What is a fact-finding hearing?**

**Kuv puas muaj cai tau cov txwjlaug noog plaub? Noog xaivlug tshawb-nrhav kev tseeb yog dlaabtsi?**

No. You have no right to a jury trial. You have a right to a trial to the court where evidence is presented by the district attorney and your attorney to a judge and the judge decides your guilt or innocence.

Tsi muaj. Koj tsi muaj cai tau cov txwjlaug noog plaub. Koj muaj cai has plaub huv tsev txavtxim kws yuav nov tej lug nas cai ntawm tug kws lijchoj nas cai hab tug kws txavtxim maam le txavtxim tas koj txhum los tsi txhum.

A fact-finding hearing is a court trial to the judge. You do not have the right to a jury trial as a juvenile. The judge will decide whether you have committed the delinquency or not. The district attorney will present evidence through witnesses. You will be able to ask the witnesses questions. You will also be able to call witnesses on your own behalf to tell your side of the story. After the witnesses have testified, the judge will then decide if you have committed what the delinquency petition has alleged that you did. If the judge decides you did not do it, the case is dismissed. If the Judge decides that you did it, then the judge will find you delinquent and set the case for a dispositional hearing, which is like a sentencing in adult court.

Kev noog xaivlug tshawb-nrhav kev tseeb yog ib qho has plaubntug lug ntawm ib tug kws txavtxim. Koj tsi muaj cai tau cov txwjlaug noog plaub yog tas koj yog ib tug mivnyuas. Tug kws txavtxim yuav txavtxim tas koj tau ua txhum cai lossis tsi tau ua. Tus kws lijchoj nas cai yuav siv timkhawv lug lam txim rua koj. Koj muaj cai nug cov tuabneeg kws ua timkhawv ntawd. Koj kuj muaj cai siv timkhawv lug tuaj koj tog tuab yaam nkaus. Tomqaab kws cov tuabneeg ua timkhawv has taag, tug kws txavtxim yuav txavtxim seb koj puas txhum le kws tau lam ntawd. Yog tug kws txavtxim has tas koj tsi txhum, ces tej xaiv lug ntawd raug muab xuum moog xwb. Yog tug kws txavtxim txavtxim has tas koj tau ua txhum lawm, ces tug kws txavtxim yuav xaa koj moog rua huv lub rooj teemtxim, kws zoo yaam le ib tug laug rooj plaub teemtxim lawm.

**11. How much do I have to pay for restitution?**

**Kuv yuav tau them nqe khu kev txhum pistawg?**

If you are under the age of 14, the maximum you have to pay for restitution is \$250.00. The amount of restitution will be determined by social services and the judge will order you to pay said amount as long as the court makes a finding that you alone are financially able to pay or physically able to perform the services. If you disagree with the amount of restitution, you may ask for a hearing in front of the judge to explain to the court as to why you do not owe as much or any restitution. Also, your parents may be liable for restitution if you are unable to pay.

Yog koj lub noobnyoog yau tshaaj 14 xyoo, tug nqe khu kev txhum kws sab tshaaj plawg yog \$250.00. Tug nqe khu kev txhum ntawd yuav yog social services ua tug khom hab tug kws txavtxim yuav has kuas koj them le khom tseg yog tsev txavtxim pum

tau tas koj muaj nyaj txag yuav them tug hab muaj tug dlaagzug kws yuav ua haujlwm lug pauj qhov nqe kev txhum ntawd. Yog koj tsi pumzoo le tug nqe kws khom tseg, koj muaj cai thov has cai dlua timntsej timmuag ntawm tug kws txavtxim seb yog lecaag koj txhaj xaav tas koj qhov txhum tsi raug nqe nyaav npaum ntawd. Koj nam koj txiv yuav raug them tug nqe kev txhum nuav yog tas koj them tsi tug.

**12. Can I substitute the judge that I have in my case?**

**Kuv puas muaj cai hloov tug kws txavtxiv rua kuv tej xaiv lug?**

Yes, so long as you have never had a prior juvenile disposition with a judge. If you have had a prior juvenile disposition with a judge, then you do not have a right to substitute the judge and you will have the judge that you previously had in your earlier disposition.

Muaj, yog tas yaav taag lug koj yeej tsi tau raug teemtxim lug ntawm ib tug kws txavtxim hlo le. Yog koj twb txeev muaj le nuav lug lawm, ces koj tsi muaj cai hloov kws txavtxim hab koj yuav tau tug kws txavtxim kws tau txavtxim rua koj zag taag lug lawm.

**13. What is a plea advisement form?**

**Dlaim ntawv ntuag txug kev leeg txhum yog dlaabtsi?**

A plea advisement form is a document which you must review prior to any admissions of guilt by you of a delinquency. This document explains all of your constitutional rights, the elements of what the state would have to prove of the crime but which you are admitting and a listing of all of the options a judge has if you are found delinquent including, among other things, placements and counseling.

Dlaim ntawv ntuag txug kev leeg txhum yog ib dlaim ntawv kws koj yuav tsum tau saib uantej koj leeg ib qho kev txhum dlaabtsi. Dlaim ntawv nuav qha txhua yaam txug koj txuj cai, cov xaiv lug kws xeev yuav tau siv timkhawv lug lam txhum tabsis yog tej kws koj tau leeg hab teev tseg txhua txuj hauvkev kws tug kws txavtxim muaj yog tas luas pum tas koj txhum lawm nrug rua lwmyaam, kev nyob chaw tso koj hab kev cob ntuag huv si.

**14. If I am placed in secure detention or the shelter home, do I get a hearing to see if I can be released?**

**Yog kuv raug nyob txim huv qhov chaw zuv nruj lossis tsev saibxyuas, kuv puas yuav tau rov has cai dlua saib luas puas tso kuv?**

Any juvenile that is placed in custody and is not released to a parent is entitled to a hearing to determine whether the juvenile should continue to be held in custody. That hearing must be conducted before a judge or court commissioner within 24 hour after the end of the day that the decision was made to hold the juvenile, excluding Saturdays, Sundays, and legal holidays. A juvenile can waive that hearing in writing and remain in custody beyond the 24-hour limit.

Ib tug mivnyuas kws raug nteg tau hab tsi tso moog rua namtxiv muaj cai moog has xaiv lug, lug txoj taug saib puas tsimnyog tuav nwg ntev ntiv lawm. Rooj has cai nuav yuav tsum yog has ntawm tug kws txavtxim lossis ib tug kws nrug txavtxim le 24 txooj teev tomqaab tug kws txavtxim has tas yuav tsum tau tuav nwg ca tsawv, tsi xaam nub Saturday, Sunday, hab nub su ua koobtsheej (holiday). Tug mivnyuas muaj cai zaam lub rooj has cai nuav lug ntawm kev sau ntawv thov hab ua sab nyob huv tsev kaw tuabneeg tshaaj 24 txooj teev.

**15. When am I eligible for a court appointed attorney and what will it cost?**

**Thaustwg kuv txhaj yuav tau ib tug kws lijchoj kws tsev tswj cai muab rua kuv hab yuav raug nqe lecaag?**

All juveniles are eligible for a public defender up to the age of 17. The court can order your parents to pay for a public defender if you are alleged to have committed a felony for up to \$400 and up to \$200 for a misdemeanor so long as your parents have the ability pay. However your parents will not have to pay for the cost of your public defender so long as if they are the complainants in the case or the case substantially effect their interest. You as a juvenile are not legally obligated to pay for costs of a public defender.

Txhua tug mivnyuas muaj cai tau ib tug txheem plaub pejxeem txug thaus nwg muaj noobnyoog 17 xyoo. Tsev tswj cai yuav has kuas namtxiv them tug nqe kws lijchoj le \$400 yog tas tug mivnyuas raug txhum lub txim luj hab \$200 rua tug kws raug txhum lub txim yau yog tas namtxiv muaj txawm peem lug them taug. Tabsis koj nam koj txiv yuav tsi raug them yog tas ob tug yog ob tug kws nroo txug qhov ua txhum nuav lossis qhov lam txhum nuav yog le ob tug sab xaav. Koj tug kws yog mivnyuas tsi muaj txuj cai raug yuam kuas muaj feem lug them tug nqe public defender.

**16. What is a Social Worker? Intake worker? District Attorney? Defense Attorney?**

**Tug Social Worker yog dlaabtsi? Tug Intake worker nev? Tug kws lijchoj nas cai nev? Tug kws lijchoj txheem cai nev?**

A social worker is the person assigned by the county to the juvenile. The social worker makes recommendations to the court for the disposition when the juvenile is found delinquent. They supervise the juvenile if he/she is found to be delinquent, coordinate resources for the juvenile and the juvenile's parent s such as counseling. They may also monitor school attendance. The social worker makes sure the juvenile is following the order of the court and reports to the court if the juvenile is not following that order so the juvenile may be sanctioned.

Tug social worker yog ib tug kws raug tso cai huv county moog rua tug mivnyuas. Tug social worker yog tug kws tshwm tswvyim lug tswj tug mivnyuas thaus kws pum tas nwg ua txhum lawm. Luas yog cov kws tswj, nrhav kev lug paab tug mivnyuas hab namtxiv xws le kev cob ntuag. Luas yuav saibxyuas txug kev moog kawmntawv tsi tu ncu. Tug social worker yuav tseev kuas tug mivnyuas ua lawv le tsev tswj cai has hab qha tsev tswj cai paub yog tas tug mivnyuas tsi ua le has ces yuav raug yuam kuas ua.

The intake worker is someone who gets information from law enforcement and then makes the decision on whether or not to send the information to the district attorney's office for charges, or to place the juvenile on informal supervision, which means the juvenile and his/her parents at an intake conference before making a decision on the charges.

Tug intake worker yog ib tug kws muab tej txheejxwm ntawm tub ceevxwm hab muab kev txavtximsab seb yuav xaa tej txheejxwm ntawd moog rua tug kws lijchoj nas cai ua kev lam txhum los tsi xaa, lossis muab tug mivnyuas tso rua tej kev tsomkwm saibxyuas, kws has tau tas tug mivnyuas hab namtxiv muaj feem ntsib nrug tug intake worker nyob rua huv lub txoos sisntsib uantej txavtximsab lam txhum.

The district attorney is the person who represents the State of Wisconsin in all delinquency cases. The district attorney is responsible for making the decision on what charges to file, and is responsible for proving the facts to the court before the juvenile can be found to be delinquent. The district attorney may make a settlement offer in order to resolve the case prior to trial.

Tug kws lijchoj nas cai yog ib tug sawvcev xeev Wisconsin rua txhua qhov kws muaj kev ua txhum cai. Tug kws lijchoj nas cai muaj feemxyuam txavtximsab seb yuav lam lub txim twg, hab muaj feemxyuam muab tej lug tseeb rua tsev tswj cai uantej tug mivnyuas raug pum tas tau ua txhum lawm tag. Tug kws lijchoj nas cai muaj feem yuav khom lug dlaws txim kuas tsi xob raug moog has plaub.

The defense attorney represents the juvenile in court and makes sure that the juvenile's rights are not violated. The defense attorney will meet with the juvenile and discuss with him/her the case and prepare for hearings in court.

Tug kws lijchoj txheem cai sawvcev tug mivnyuas nyob rua huv tsev has plaub hab saibxyuas kuas tug mivnyuas txuj cai tsi raug yuam. Tug kws lijchoj txheem cai yuav ntsib tug mivnyuas hab thaam nrug nwg txug cov teebmeem hab npaaj has plaub huv tsev has plaub.

#### **17. What is JIPS? What is a delinquency?**

##### **JIPS yog dlaabtsi? Kev ua yuam cai yog dlaabtsi?**

JIPS stands for **Juvenile In need of Protection or Services**. A juvenile in need of protection or services is a person under the age of 18:

JIPS yog **Juvenile In need of Protection or Services**. Ib tug mivnyuas kws yuav tsum tau kev tivthaiv hab paabcuam yog tug kws tsi tau puv noobnyoog 18 xyoo:

- 1) whose parents or guardians request assistance from the State because:
  - tug kws namtxiv lossis tug tsomkwm thov kuas xeev paab vim yog:
    - a. they need help controlling the juvenile or;  
puab xaav tau kev paab tswj tug mivnyuas lossis;
    - b. the juvenile has run away from home for a long or consistent period of time:  
tug mivnyuas tau tsiv tawm huv tsev lawm ntev loo lossis xij pheej tsiv

tawm tsi tseg:

- 2) who has missed all or part of 5 days in school in a semester;  
tug kws tau tuncua taag nrho lossis ib feem ntawm 5 nub kawmntawv tuaj ib nraab xyoo;
- 3) who has stopped attending school or any other educational program all together and does not have a high school diploma or its equivalent.  
tug kws tso tseg tsi moog kawmntawv lossis taag nrho lwm yaam txheej txheem kev kawm hab tsi tau high school dlaim cim thawj kawmntawv tav lossis dlaim kawm tav sib txig zog le ntawd.
- 4) who has done something that would be a crime if committed by an adult and is not responsible for the act because of a mental disease or defect or because he or she is not competent.  
tug kws tau ua yaam yuav txhum cai yog tas nwg yog ib tug laug hab tsi muaj feemxyuam rua qhov kws nwg ua ntawd yog vim nwg lub hlwb tsi meejpem lossis puag cev lossis yijvim nwg tsi muaj cuabkaav paub txug.

A **Juvenile** in need of protection and services is also a person under the age of 10 who does something that would be a crime if committed by an adult. A Delinquent is a person who is 10 years of age or older, but has not turned 17 and has done something that would be a crime if committed by an adult.

Tug mivnyuas kws xwv yuav tsum tau kev paab tivthaiv hab paabcuam kuj yog ib tug kws noobnyoog yau tshaaj 10 xyoo es tau ua tej yaam kws yog xaam has tas yog ib tug laug ces yog ua txhum cai lawm. Tug ua txhum cai yog ib tug tuabneeg kws noobnyoog 10 xyoo lossis laug tshaaj, tabsis tsi tau muaj 17 xyoo hab tau ua tej yaam kws yuav yog txhum cai yog xaam tas yog ib tug laug.

#### **18. How does the intake process work?**

##### **Kev teev ntaubntawv yog muaj le caag?**

If a juvenile is alleged to have committed a delinquent act, the law enforcement agency sends the information to an intake worker. The intake worker must determine if there are enough facts to establish jurisdiction and whether the matter should be handled as a deferred prosecution agreement or whether it should be referred to the district attorney. Before that decision is made, the intake worker meets with the juvenile, the juvenile's parents, guardian or legal custodian at an intake conference. The juvenile is informed by the intake worker of his/her rights at the intake conference.

Yog muaj ib tug mivnyuas raug lam tas nwg tau ua txhum lawd, tsev tub ceev xwm xaa cov txheej xwm moog rua tug tuabneeg teev ntaubntawv. Tug tuabneeg teev ntaubntawv yuav tsum sojntsuag seb tej xwm puas muaj tseeb le caag txug qhov kws tsimnyog nrhav hauvkev khu lossis yuav muab tej xaiv lug nuav xaa moog rua tug kws lijchoj nas cai. Uantej kws yuav txavtximsab tau, tug tuabneeg teev ntaub ntawv yuav tsum tau ntsib tug mivnyuas, tug mivnyuas le namtxiv, tug tsomkwm lossis tug kws raug tsocai lug tsomkwm nyob huv lub rooj sis ntsib nuav. Tug teev ntaubntawv yuav qha tug mivnyuas kuas paub txug nwg txuj cai thaus nyob huv lub rooj sis thaam nuav.



The juvenile may enter into a deferred prosecution agreement if appropriate or the intake worker may request that the district attorney file a petition for a delinquency finding within forty days of the receipt of the referral information. If it is determined that a deferred prosecution agreement is appropriate, the juvenile's case may be handled informally and no court appearance is necessary unless the juvenile violates the deferred prosecution agreement, at which time a request for a petition may be made.

Tug mivnyuas muaj cuab kaav pumzoo nkaag rua huv kev khu rua qhov tsimnyog lossis tug tuabneeg teev ntaubntawv yuav has kuas tug kws lijchoj nas cai sau ib dlaim ntawv tshawb nrhav kev txhum tsi pub dlhau 40 nub kws tau txais tej ntaub ntawv xaa tug mivnyuas lug ntawd. Yog pum tas qhov kws nrhav kev khu yog qhov tsimnyog lawd, tug mivnyuas yuav tsi raug moog tshwm huv tsev has plaub tsuas tshwj tas tug mivnyuas ua yuam tsaab cai pumzoo txhimkhu nuav, rua thaus kws tseem ua dlaim ntawv thov ntawd.

If there is a request for the district attorney to file a delinquency petition, the district attorney has twenty days to decide whether or not to file the petition. If filed, the juvenile is then scheduled for an initial plea hearing where the juvenile either admits or denies the allegations contained in the petition. This appearance will be before a judge or court commissioner. The district attorney and defense attorney are involved in this formal court proceeding.

Yog tau has kuas tug kws lijchoj nas cai sau ntawv has txim, tug kws lijchoj nas cai muaj 20 nub lug txavtximsab seb nwg puas yuav sau dlaim ntawv ntawd los tsi sau. Yog ua dlaim ntawv nuav lawd, tug mivnyuas yuav raug teem moog leeg lug seb nwg yuav leeg txhum los tsi leeg txug tej lug kws luas lam huv dlaim ntawv lam txhum. Qhov kws nwg moog leeg nuav yog moog tim ntsej tim muag ntawm ib tus kws txavtxim lossis tug muaj feem txavtxim. Tug kws lijchoj nas cai hab tug kws lijchoj txheem cai muaj feem nyob huv qhov kaabke txavtxim nuav tuabsis.

#### **19. What is a permanency plan?**

##### **Lug khom tseg tso ntev moog le yog dlaabtsi?**

A permanency plan is a report prepared by a social worker any time a child is placed outside of the home, except if he or she is placed with relatives. The goal of permanency plan is to return the child home if possible, or to find a place that provides long-term stability. The plan answers the following questions: Why was the child removed from the home? How can they be returned? If they cannot be returned, what are the available options? The plan often includes treatment and counseling recommendations for the child and parents.

Lus khom tseg tso ntev moog le yog ib tsaab ntawv qha xwm kws yog ib tug social worker sau tseg rua thaus kws muaj ib tug mivnyuas raug rhu tawm huv tsev moog nyob lwm qhov, tsuas tshwj tas yog nwg raug tso nrug cov txheebze nyob xwb. Lub homphaj ntawm cov lug khom tseg tso kaav ntev moog le nuav yog khom ca rua qhov kws npaaj xaa tug mivnyuas rov moog rua huv nwg lub vaaj lub tsev, lossis nrhav ib

qhov chaw kws yuav nyob tau ruaj khov rua nwg. Yuav ua caag puab txhaj rov tau? Yog tas puab rov tsi tau, puas muaj lwm txuj kev ntxiv lawm? Cov kev khom nuav muaj kev tu hab saibxyuas cob ntuag rua tug mivnyuas hab namtxiv huvsi.

**20. What happens at the initial appearance?**

**Yuav muaj dlaabtsi thaus kws moog thawj zag rua huv chaav txavtxim?**

At the initial plea hearing, the judge will ask you how you wish to plead to the allegation in the delinquency petition. You have two options- to admit or deny the allegations. If you admit the allegations, then the case will be set for an admission hearing and a dispositional hearing and you will be found guilty. If you enter a denial, the case is then set for a pretrial conference and later for a fact-finding hearing if the case is not resolved at the pretrial conference. You have other decisions to make at the pleas hearing. You may wish to ask for a substitution of the judge if this is your first case, or if you have never been found delinquent before. If you have, you no longer have the right to substitute the judge. You may also decide whether you wish to have your case completed within thirty days of the plea hearing or if you wish to waive the statutory time limits and have the case extended beyond the thirty-day limit. Your attorney will discuss with you all of your rights and possible dispositions of the case at the time of the plea hearing.

Ntawm qhov chaw leeg lug, tug kws txavtxim yuav nug koj seb koj yuav leeg lug le caag txug tej kev txhum ntawd. Koj muaj 2 txuj hauvkev- leeg kag lossis tsi leeg xwb. Yog koj leeg, ces luas yuav teem sijhawm moog leeg hab yuav has tej lug teemtxim hab luas yuav pum tas koj tau ua txhum lawm. Yog koj tsi leeg, ces luas yuav teem sijhawm sis thaam hab yuav nrhav timkhawv lug tseeb yog has tsi taag rua thaus has thawj zag. Koj muaj lwm yaam kev txavtximsab thaus sib has thawj zag. Koj muaj cai hloov tug kws txavtxim yog tas qhov nuav yog koj thawj zag, lossis luas tsi tau pum koj muaj txhum dlua lug le. Yog koj tau ua txhum lug lawd, koj tsi muaj cai hloov tug kws txavtxim. Koj muaj cai yuav txavtximsab seb yuav siv 30 nub lug has koj rooj plaub xwb lossis xaav thov zaam txuj cai nuav kuas siv sijhawm ntau tshaaj 30 hnuv lug has. Koj tug kws lijchoj yuav thaam txhua yaam txug koj txuj cai rua koj hab kev teem txim rua thaus has sau rooj leeg lug.

**21. What is the difference between formal and informal dispositions?**

**Yaam kws txawv nyob nruabnraab ntawm kev khu tuaj sau txuj cai hab khu saab nrau txuj cai yog le caag?**

The key difference between informal and formal dispositions is that formal dispositions are court ordered and violations of a judge's order carry heavier consequences. An informal disposition usually involves a referral from a school or the police to the Department of Social Services. The referral usually contains information about a juvenile who has committed a delinquent act or has been habitually truant from school. The social worker assigned to the case reviews the referral and makes a decision to either handle it informally or to send it to the District Attorney's Office for charging and formal disposition.

Yaam kws txawv nruabnraab ntawm kev khu tuaj sau txuj cai hab khu saab nrau txuj cai yog muaj xwsle, khu tuaj sau txuj cai yog kev khu lug ntawm kws txavtxim hab yog leejtwg hlaa dlhau yuav raug teemtxim nyaav dlua qub. Qhov kws khu saab nrau txuj cai yog qhov kws sis paab nrhav kev lug khu xwsle yog tsev kawmntawv lossis tsev tub ceev xwm xaa moog ntsib Department of Social Service. Tej txheejxwm kws nyob huv tej lug luas xaa moog yog has txug mivnyuas tej kev ua txhum cai lossis pheej moog kawmntawv tsi cuag ncuu. Tug social worker kws raug tso saibxyuas yuav rov lug ntsuamxyuas hab txavtximsab nrhav kev khu lossis yuav xaa moog rua huv tug kws lijchoj nas cai kuas lam txim lossis nrhav kev khu lawv le kevcai.

The social worker may wish to handle the case informally if he or she believes the interests of the juvenile or the public would not be served with a formal disposition. The social worker will look at factors like the juvenile's age, history of behavior, willingness to cooperate, and the nature of the offense when making this decision. If the worker decides to handle the case informally he or she will have the juvenile and parents sign a deferred prosecution agreement. The agreement states that social services will not refer the matter to the DA's office, if after an agreed period of time, the juvenile complies with the requests of the worker. If the juvenile does not comply, the agreement is terminated and the case is most likely sent to the DA's office to pursue a formal disposition.

Tug social worker yuav ca le nrhav kev lug khu tug mivnyuas yog tas nwg pum tau tas khu lawv le txuj cai yuav tsi zoo rua tug mivnyuas hab lub zejzog. Tug social worker yuav saib rua sau tug mivnyuas lub noobnyoog, nwg tug cwjpw yaav dlhau lug, pum tas nwg txaussab hlo koomteg nrug luas, hab tej kev txhum kws nwg tau ua uantej yuav txavtximsab. Yog tug social worker txavtximsab khu saab nrau txuj cai nwg yuav tseev kuas tug mivnyuas hab namtxiv suam npe pumzoo ua le ntawd. Kev pumzoo yuav has tas, social service yuav tsi has tej xwm nuav moog rua tug kws lijchoj nas cai lub chaw ua haujlwm, yog tug mivnyuas ua lawv le tug social worker has lawm. Yog tug mivnyuas tsi ua le has, yuav muab qhov kev pumzoo ntawd rhu tawm hab yuav xaa cov txheejxwm moog rua tug kws lijchoj nas cai qhov chaw ua haujlwm lug khu lawv le kevcai.

## **22. What is a consent decree?**

### **Pumzoo saamfwm tseg yog dlaabtsi?**

A consent decree is an agreement made by all of the parties, the juvenile, the juvenile's parents, the social worker, the district attorney, the juvenile's attorney, and the judge that states that the juvenile case can be deferred for a period of six to twelve months to allow the juvenile to follow through on conditions contained in the agreement. You may be asked to admit to one or more charges in the juvenile petition as part of the agreement. If you follow all of the conditions, the case is dismissed after six or twelve months. If you do not follow the conditions, the consent decree is revoked and you are returned to court. If you have already admitted to a delinquency charge, you will then be found delinquent. If you have not admitted to the delinquency, then the case returns to where the case was a when the consent decree was signed.

Pumzoo lug ntawm kev siv txuj cai tswj yog ib qho kev pumzoo kws txhua tug tuabneeg kws muaj feemkoom uake xws le, tug mivnyuas, tug mivnyuas namtxiv, tug social worker, tug kws lijchoj nas cai, tug kws lijchoj rua tug mivnyuas, hab tug kws txiavtxim hab has tas tug mivnyuas nuav cov xaiv lug yuav muab ncua ca le 6 moog rua 12 lub hlis kuas tug mivnyuas xyum le cov lug pumzoo lug ntawm kev siv txuj cai tswj. Koj yuav raug has kuas leeg ib lossis ntau tshaaj ib qhov kev txhum kws luas lam nyob huv tsaab ntawv lam txhum kuas lawv le huv kev pumzoo lawd. Yog koj tsi ua ntau yaam le has, cov lug pumzoo lug ntawm kev siv txuj cai tswj yuav raug xuam moog hab koj yuav tau rov pib has koj tej kev txhum pib peg hauvpaug kws thaus tsi tau pumzoo lug ntawm kev siv txuj cai tswj lug moog.

